

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

INSITUFORM TECHNOLOGIES, INC.,)
Plaintiff,)
v.)
AMERICAN HOME ASSURANCE)
COMPANY,)
Defendant.)

)

) CASE NO. 04-10487 GAO

AFFIDAVIT OF GREGORY P. DESCENES

I, Gregory P. Deschenes, depose and state as follows:

1. I am, and since 1987 have been, a member in good standing of the bar of the Supreme Court of the Commonwealth of Massachusetts. I am a partner in the law firm of Nixon Peabody LLP, 100 Summer Street, Boston, Massachusetts, and I am an attorney of record for defendant American Home Assurance Company (“American Home”) in this action. The purpose of this affidavit is to introduce certain exhibits upon which American Home relies in support of its Opposition to Plaintiff’s Motion to Continue Trial Date and Amend the Case Schedule.

2. Attached to this Affidavit as Exhibit 1 is a true and accurate copy of Insituform’s Answers and Objections to American Home’s First Set of Interrogatories dated April 7, 2006.

3. Attached to this Affidavit as Exhibit 2 is a true and accurate copy of Insituform’s “Total Cost Summary” dated March 24, 2006.

4. Attached to this Affidavit as Exhibit 3 is a true and accurate copy of Chris Campos' Expert Report dated May 22, 2006.

5. Attached to this Affidavit as Exhibit 4 is a true and accurate copy of Insituform's Memorandum in Response to American Home's Motion for Summary Judgment dated September 7, 2006.

6. Attached to this Affidavit as Exhibit 5 is a true and accurate copy of the Affidavit of Chris Campos dated September 6, 2006.

7. Attached to this Affidavit as Exhibit 6 is a true and accurate copy of Insituform's Supplemental Memorandum in Support of its Cross-Motion for Summary Judgment dated July 6, 2007.

8. Attached to this Affidavit as Exhibit 7 is a true and accurate copy of Insituform's 10-Q for quarter ending September 30, 2007.

9. Attached to this Affidavit as Exhibit 8 is a true and accurate copy of a letter dated December 24, 2007 from Insituform's counsel to American Home's counsel.

10. Attached to this Affidavit as Exhibit 9 is a true and accurate copy of an e-mail dated December 27, 2007 from Insituform's counsel to American Home's counsel.

11. Attached to this Affidavit as Exhibit 10 is a true and accurate copy of a letter dated December 28, 2007 from Insituform's counsel to American Home's counsel.

12. Attached to this Affidavit as Exhibit 11 is a true and accurate copy of an e-mail dated January 2, 2008 from Insituform's counsel to American Home's counsel.

I certify under the penalty of perjury that the foregoing is true and correct. Executed on
Signed under the penalties of perjury this 18th day of January, 2008.

/s/ Gregory P. Deschenes
Gregory P. Deschenes